

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ADRIAN SORIANO

Plaintiff,

V.

UNITED STATES DEPARTMENT OF
STATE;
MARCO RUBIO, Secretary of State;
U.S. EMBASSY IN BUENOS AIRES,
ARGENTINA;

Defendants.

CIVIL DIVISION

No. 2:25-cv-222

COMPLAINT FOR WRIT OF MANDAMUS

AND NOW, comes the Plaintiff Adrian Soriano, hereby submits this complaint as follows:

I. INTRODUCTION

1. This is an action brought under 28 U.S.C. § 1361 to compel Defendants to perform their duty owed to Plaintiff by providing a lawful and timely decision on the visa application of Alejandro Barreca, an invitee of Plaintiff, and by explaining the legal reasons for rejecting the application. Plaintiff's business interests are harmed by the arbitrary denial and failure to respond to subsequent requests for review.
2. Plaintiff invited Alejandro Barreca, a citizen of Argentina, to attend the NTEA trade show and do B1 permissible activities in the U.S. to benefit his business. Despite all required documentation being submitted, the visa application was denied by the U.S. Embassy in Buenos Aires, Argentina, without providing a legal reason, and subsequent requests for review have gone unanswered.

II. JURISDICTION AND VENUE

3. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1361 (Mandamus Act).
4. Venue is proper in this district under 28 U.S.C. § 1391(e) because this is an action against officers and agencies of the United States in their official capacities.

III. PARTIES

5. Plaintiff, Adrian Soriano, is a U.S. citizen and business owner that invited Alejandro Barreca to the U.S. to engage in lawful and B1 permissible business activities.
6. Defendant, the U.S. Department of State, is responsible for the processing of visa applications and overseeing U.S. Embassies around the world.
7. Defendant, Marco Rubio, is sued in his official capacity as the Secretary of State of the United States.
8. Defendant, U.S. Embassy in Buenos Aires, is responsible for processing and reviewing visa applications, including that of Alejandro Barreca.

IV. FACTUAL BACKGROUND

9. On January 30th, 2025, Alejandro Barreca applied for a B1/B2 visa at the U.S. Embassy in Buenos Aires, Argentina, with the invitation of Plaintiff to attend the NTEA Trade show, which is critical for Plaintiff's business development activities.
10. Despite submitting all necessary documentation and attending a visa interview on January 30th, 2025, the U.S. Embassy rejected the visa application and cancelled an existing valid B2 visa on the same day, providing no clear legal reason for the denial, in violation of applicable regulations.
11. Plaintiff, directly and through Alejandro Barreca, submitted multiple requests for review and clarification on 1/30/25, 1/31/25, 2/4/25, 2/5/25 and 2/12/25, to which Defendants have failed to respond.
12. Defendants' failure to provide a legally sufficient explanation for the denial and their failure to respond to Plaintiff's requests violate Plaintiff's and the invitee's rights under the Administrative Procedure Act (APA) and applicable visa regulations.
13. As a result, Plaintiff is suffering financial and reputational harm by being unable to host Alejandro Barreca for the trade show and have him perform permissible B1 activities, which would provide significant opportunities for business expansion.

V. CAUSE OF ACTION – WRIT OF MANDAMUS

14. Plaintiff incorporates all allegations above as if fully set forth herein.
15. Defendants have a non-discretionary duty to process and adjudicate visa applications in accordance with applicable law and to provide a legally sufficient explanation for any rejection.
16. Defendants' failure to provide an adequate explanation for rejecting the visa application and their failure to respond to requests for review is unlawful and unreasonable under the Mandamus Act and the Administrative Procedure Act.

17. Plaintiff has exhausted all available administrative remedies and has no other adequate remedy available.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Honorable Court:

1. Issue a Writ of Mandamus compelling Defendants to provide a lawful and specific reason for the rejection of the visa application for Alejandro Barreca.
2. Order Defendants to reconsider the visa application in light of the legal and factual circumstances, as Plaintiff's legitimate business interests are being harmed.
3. Award Plaintiff any further relief this Court deems appropriate, including costs and attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412.

Respectfully submitted

By: /s/ Adrian Soriano
Adrian Soriano
Pro Se Plaintiff
5951 Brownsville Rd
Pittsburgh, PA 15236

Date: February 18, 2025